

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

SARAH MERCADO

*Plaintiff*

V.

GREGORY M. SNYDER, Judge  
of the Court of Common Pleas of  
York County, Pennsylvania,  
in his official capacity only

*Defendant*

CIVIL ACTION

NO. 1:21-CV-01743-JPW

Hon. Jennifer P. Wilson

## **Defendant's Motion to Dismiss the Complaint**

Defendant the Honorable Gregory M. Snyder, through undersigned counsel, moves to dismiss the Complaint pursuant to Federal Rule of Civil Procedure 12(b)(1) and (6) on the following grounds that will be set forth more fully in Defendant's Brief:

1. Defendant has judicial immunity from Plaintiff's claims.
2. Plaintiff's claims are barred by the *Heck v. Humphrey* doctrine.
3. Plaintiff's claims are barred by *Younger* abstention.

4. The Complaint fails to state a cognizable claim for declaratory and injunctive relief.

5. Other defenses that may be raised in Defendant's Brief.

**WHEREFORE**, Defendant respectfully requests that this Honorable Court dismiss Plaintiff's Complaint with prejudice.

**s/Michael Daley**

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***Attorney for Defendant***

**Certificate of Concurrence**

Pursuant to Local Rule 7.1, the undersigned sought concurrence in this Motion. Plaintiff's counsel has not concurred.

**s/Michael Daley**  
MICHAEL DALEY, ESQUIRE